

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
JENNIFER ECKHART et al.,

Plaintiffs,

-v.-

FOX NEWS NETWORK, LLC et al.,

Defendants.  
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ORDER  
20 Civ. 5593 (RA) (GWG)

GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE

Before the Court are the parties' applications to file certain materials under seal and to file public versions of the documents with redactions. See Docket ## 261, 264, 269, 281. The basis for all the redaction requests are the personal privacy interests of nonparties. None of the applications have been opposed.

We have delineated the governing standard for sealing in In re New York City Policing During Summer 2020 Demonstrations, 635 F. Supp. 3d 247, 251-54 (S.D.N.Y. 2022); see also Lugosch v. Pyramid Co. of Onondaga, 435 F.3d 110 (2d Cir. 2006). In applying the applicable test here, we will assume that these are judicial documents. As a result, a presumption of access attaches. However, in discovery disputes the weight of the presumption is not strong. See New York City Policing During Summer 2020 Demonstrations, 635 F. Supp. 3d at 253 ("[W]here the document is submitted in connection with a discovery motion, rather than a dispositive motion, the presumption of access is entitled to only 'modest' weight, because the resolution of a discovery motion does not require the Court to analyze the merits of the parties' claims or defenses.") (citations and internal punctuation omitted). Because the presumption in this context is low and because the parties have identified important privacy interests of nonparties weighing against disclosure, the burden has been carried in favor of sealing. Accordingly, the applications in Docket ## 261, 264, 269 and 281 are granted.

SO ORDERED.

Dated: January 16, 2024  
New York, New York

  
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GABRIEL W. GORENSTEIN  
United States Magistrate Judge

